

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ANTHONY MACHIAVELLI,)	
)	
Plaintiff,)	
)	
v.)	1:15-cv-00340-JDL
)	
CAPTAIN HAROLD ABBOTT, JR.,)	
et al.,)	
)	
Defendants.)	

**ORDER ADOPTING THE AMENDED RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed his Amended Recommended Decision (ECF No. 9)¹ with the court on September 16, 2015, pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). The Magistrate Judge, after conducting a preliminary review of Plaintiff Anthony Machiavelli's complaint (ECF No. 1) in accordance with 28 U.S.C. §§ 1915 and 1915A, recommended that the court permit Plaintiff's retaliation claim to proceed against Defendants Harold Abbott, Jr., Antonio Mendez, and Troy Ross and dismiss Plaintiff's other claims. ECF No. 9 at 1, 7, 9. Plaintiff filed an Objection to the Recommended Decision (ECF No. 14) on October 26, 2015.

I have carefully reviewed and considered Plaintiff's Objection and the Magistrate Judge's Amended Recommended Decision, and have made a *de novo* determination of the matters objected to. I agree with the analysis and conclusions

¹ The Amended Recommended Decision supersedes the Recommended Decision (ECF No. 8).

of the Magistrate Judge as set forth in his Amended Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Amended Recommended Decision of the Magistrate Judge (ECF No. 9) is hereby **ADOPTED**. Plaintiff's complaint (ECF No. 1) is **DISMISSED IN PART**, namely, all claims against Defendant Brittany Payson and Plaintiff's federal and state due process claims against all Defendants. It is further **ORDERED** that service of process be made upon Defendants Abbott, Mendez, and Ross, on Plaintiff's retaliation claim against the same.

SO ORDERED.

Dated this 11th day of December, 2015.

/s/ Jon D. Levy
U.S. DISTRICT JUDGE